



Ordinance 15 - 29

An Ordinance Amending Chapter 6, Relating to Alcoholic Beverages, of the City of Elk River, Minnesota, City Code

The City Council of the City of Elk River does hereby ordain as follows:

SECTION 1. That § 6-52, **Types of Licenses**, of the City of Elk River Code of Ordinances shall be amended to read as follows:

(5) Temporary Licenses

- a. *Temporary on-sale licenses.* The city may issue to a club, or charitable, religious, nonprofit organization, microdistillery, or a state licensed brewer who manufactures fewer than 3,500 barrels of malt liquor in a year for the on-sale of intoxicating liquor in existence for at least three years a temporary license for the on-sale of intoxicating liquor in connection with a social event within the city sponsored by the licensee. The license may authorize the sale of intoxicating liquor for not more than four consecutive days and may allow on-sales on premises other than premises the licensee owns or permanently occupies. The license may provide that the licensee may contract for intoxicating liquor catering services with the holder of a full-year on-sale intoxicating liquor license issued by any municipality. Temporary on-sale intoxicating liquor licenses require approval of the commissioner of public safety. Licenses are subject to terms and license fees normally

(11) *Small brewer's off-sale malt license.* May be granted to brewers licensed under Minn. Stats. § 340A.301(c), (i), or (j).

a. *Eligibility.*

1. Off-sale shall be limited to 64-ounce containers known as "growlers" of malt liquor produced and packaged on the licensed premises which have been labeled and sealed in accordance with statutory specifications;
2. Off-sale may not exceed 500 barrels per year;
3. Off-sale hours shall be limited to the hours of operation of the municipal dispensary (subsection 6-94(d)). The off-sale growlers must be removed from the premises before the applicable closing time of the municipal dispensary, except that growlers may be sold at off-sale on Sundays between the hours of 8:00 a.m. and 10:00 p.m., excluding Christmas Day and after 8:00 p.m. on December 24.
4. A brewer may only have one license under this subsection.
5. The city can't issue a license under this subdiv. to a brewer seeking the license, or any person having an economic interest in the brewer seeking the license or exercising control over the brewer seeking the license, is a

brewer that brews more than 20,000 barrels of its own brands of malt liquor annually or a winery that produces more than 250,000 gallons of wine annually.

- (13) Microdistillery off-sale. An off-sale microdistillery license authorizes the off-sale of distilled spirits by a licensed microdistillery.

(a) Eligibility

1. Off-sale hours must conform to hours of sale for the municipal dispensary.
2. No brand may be sold from the microdistillery unless it is also sold through their wholesaler to retail accounts.

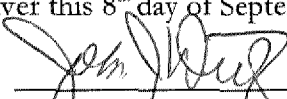
SECTION 2. That ~~§ 6-131~~, **Proof of Age**, of the City of Elk River Code of Ordinances shall be amended as follows:

- (a) Proof of age for purchasing or consuming alcoholic beverages may be established only by one of the following:

1. A valid driver's license or identification card ~~issues~~ by Minnesota, another state, or a province of Canada, and including the photograph and date of birth of the licensed person;
2. A valid military identification card issued by the United States Department of Defense;
3. A valid passport issued by the United States;
4. A valid instructional permit issued under Minn. Stats 171.05 to a person of legal age which includes a photograph and the date of birth of the person issued the permit;
or
5. In the case of a foreign national, a valid passport.

SECTION 3. That this ordinance shall take effect upon adoption and be published as provided by law.

Passed and adopted by the City Council of the City of Elk River this 8th day of September, 2015.


John J. Dietz, Mayor

ATTEST:


Tina Allard, City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA) ss
COUNTY OF SHERBURNE

Charlene Vold being duly sworn on an oath, states or affirms that he/she is the Publisher's Designated Agent of the newspaper(s) known as:

Star News

with the known office of issue being located in the county of:

SHERBURNE

with a substantial portion of the circulation in the counties of:

WRIGHT

and has full knowledge of the facts stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02.

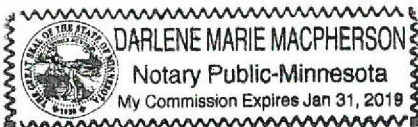
(B) This Public Notice was printed and published in said newspaper(s) once each week, for 1 successive week(s); the first insertion being on 09/12/2015 and the last insertion being on 09/12/2015.

MORTGAGE FORECLOSURE NOTICES
Pursuant to Minnesota Stat. §580.033 relating to the publication of mortgage foreclosure notices: The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

By: Charlene Vold
Designated Agent

Subscribed and sworn to or affirmed before me on 09/12/2015.

Darlene M MacPherson
Notary Public



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\$23.00 per column inch

Ad ID 446685

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